

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

FREEDOM COALITION OF DOCTORS
FOR CHOICE,

Plaintiff,

v.

CENTERS FOR DISEASE CONTROL
AND PREVENTION, and U.S.
DEPARTMENT OF HEALTH AND
HUMAN SERVICES,

Defendants.

Civil Action No. 2:23-CV-00102-Z

**UNOPPOSED MOTION TO SET BRIEFING SCHEDULE FOR
CROSS-MOTIONS FOR SUMMARY JUDGMENT**

On November 3, 2023, the Court granted the request of Defendants Centers for Disease Control and Prevention and U.S. Department of Health and Human Services (collectively, “Defendants”) for an extension of time to respond to Plaintiff Freedom Coalition of Doctors for Choice’s motion for summary judgment, setting Defendants’ deadline to respond as November 24, 2023. (*See* Doc. 23.) Defendants also intend to file a cross-motion for summary judgment at the same time.

Counsel for the parties have conferred about this case in light of the Court’s order and Defendants’ plan to file a cross-motion for summary judgment. In order to conserve both judicial and the parties’ resources, Defendants are requesting a Court-ordered

briefing schedule for the parties to file consolidated summary-judgment briefing as detailed below. Plaintiff does not oppose the following briefing schedule and proposal:

Proposed Briefing Schedule	
Deadline for Defendants to file consolidated cross-motion for summary judgment and response to Plaintiff's motion for summary judgment	Friday, November 24, 2023
Deadline for Plaintiff to file consolidated response to Defendants' cross-motion for summary judgment and reply in support of its own motion for summary judgment	Friday, December 15, 2023
Deadline for Defendants to file reply in support of their cross-motion for summary judgment	Friday, December 29, 2023

Therefore, Defendants respectfully request the Court enter the above briefing schedule and proposal for consolidated summary-judgment briefing.

Respectfully submitted,

LEIGHA SIMONTON
UNITED STATES ATTORNEY

/s/ Sarah E. Delaney

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Attorneys for Defendants

CERTIFICATE OF CONFERENCE

I certify that on November 7, 2023, counsel for Plaintiff Freedom Coalition of Doctors for Choice indicated that it does not oppose this motion.

/s/ Sarah E. Delaney

Sarah E. Delaney
Assistant United States Attorney

CERTIFICATE OF SERVICE

On November 8, 2023, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all counsel and/or pro se parties of record electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ Sarah E. Delaney

Sarah E. Delaney

Assistant United States Attorney